

October 6, 2005

Via mail & email

Alessandro A. Iuppa, Superintendent
Attn: Vanessa J. Leon, Docket No. INS-05-700
Bureau of Insurance
Maine Department of Professional and Financial Regulation
34 State House Station
Augusta, Maine 04333-0034
vanessa.j.leon@maine.gov

Re: Review of Aggregate Measurable Cost Savings Determined by Dirigo Health for the First
Assessment Year, Docket No. INS-05-700

Dear Superintendent Iuppa:

Please find enclosed the following:

1. Filing Cover Sheet.
2. Two hard copies of Dirigo Health Objections to Maine Automobile Dealers Association Insurance Trust, et al Information Request.

Thank you for your assistance with this matter.

Yours very truly,

/s/William H. Laubenstein, III

William H. Laubenstein, III
Assistant Attorney General

cc: (Via mail and email)
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STATE OF MAINE
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BUREAU OF INSURANCE

IN RE: REVIEW OF AGGREGATE)	
MEASURABLE COST SAVINGS)	
DETERMINED BY DIRIGO)	FILING COVER SHEET
HEALTH FOR THE FIRST)	
ASSESSMENT YEAR)	
)	
Docket No. INS-05-700)	

TO: Alessandro Iuppa, Superintendent of Insurance
Attn: Vanessa J. Leon

Date Filed: October 6, 2005

Name of Party: Dirigo Health Board of Directors

Document Title: Dirigo Health Objection to Maine Automobile Dealers Association
Insurance Trust, et al Information Request

Document Type: Memorandum In Opposition to Motion

Confidential: No

Dated: October 6, 2005

Respectfully submitted,

/s/William H. Laubenstein, III

William H. Laubenstein, III
Assistant Attorney General

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BUREAU OF INSURANCE

IN RE: REVIEW OF AGGREGATE)	DIRIGO HEALTH
MEASURABLE COST SAVINGS)	OBJECTIONS TO
DETERMINED BY DIRIGO)	MAINE
HEALTH FOR THE FIRST)	AUTOMOBILE
ASSESSMENT YEAR)	DEALERS ASSOCIATION
)	INSURANCE TRUST, ET AL
Docket No. INS-05-700)	INFORMATION REQUEST
)	

The Board of Directors of Dirigo Health (the “Board”), in accordance with Bureau of Insurance Rule Chapter 350 and the Procedural Order dated September 19, 2005, hereby objects to the Information Request filed on October 5, 2005 by the Maine Automobile Dealers Association Insurance Trust and Bankers Health Trust (the “Trusts”). The Board’s counsel has consulted with counsel for the Trusts, but no agreement has been reached on resolving the issues presented.

General Objections

Chapter 350 states that the rules of practice are to be construed liberally “to secure just, speedy and economic determination of all matters pending before the Superintendent or his staff.” Ch. 350, sec. 2(B). With regard to discovery, the rules require that informational requests be “relevant to the issues involved in the pending proceeding, and shall not be unduly burdensome or repetitious.” Ch. 350, sec. 10 (B)(2). The information request filed by the Trusts contains 85 requests, including document requests and narrative responses. Even a cursory review of the request shows that many of the requests are not relevant to the five issues outlined by the Superintendent’s staff at the pre-hearing conference on October 5, 2005 that will be considered at the hearing and that the magnitude of the requests imposes an enormous burden on the Board, the Dirigo Health Agency, and the Agency’s consultants. The Board notes that under

the Federal Rules of Civil Procedure, a party can only submit 25 interrogatories; and under the Maine Rules of Civil Procedure, a party can only submit 30 interrogatories. Under both rules a response is not required for 30 days.

Specific Objections

Requests 1-31. The Board does not object to these requests.

Request 32. The Board does not object to this request, but states that the Agency prepared transcripts and provided them to the Trusts.

Requests 33-36. The Board does not object to these requests.

Requests 37-44. The Board objects because the information requested is not relevant to the proceeding.

Requests 45-46. These requests are unduly burdensome; the information is not relevant and would take countless hours to compile.

Requests 47-61. The Board does not object to these requests.

Request 62-64. These requests are unduly burdensome; the information is not relevant and would take countless hours to compile.

Requests 65-82. The Board does not object to these requests.

Requests 83-85. These requests are unduly burdensome; the information is not relevant and would take countless hours to compile.

The Board also received on October 5, 2005, an information request from the Superintendent that must be responded to by October 11, 2005. Because of the short time period to respond the both requests and because the same resources will have to be used to respond to the requests, the Board will not be able to timely respond in accordance with the rules governing this proceeding unless relief is granted on the scope of the requests and the time for response. In

addition, the Board does not know at this time, despite its best efforts, the availability of the resources to prepare responses within the required time frames.

WHEREFORE, the Board requests that the Superintendent issue an order limiting the scope of the requests in accordance with the objections set forth herein and extend the time within which responses are due.

Dated: October 6, 2005

Respectfully submitted,

/s/William H. Laubenstein, III

William H. Laubenstein, III
Assistant Attorney General

CERTIFICATE OF SERVICE

I, William H. Laubenstein, III, Assistant Attorney General for DIRIGO Health, do hereby certify that on this date the foregoing document was served on all counsel of record via U.S. first class mail, postage prepaid, and electronic mail as follows:

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Dated: October 6, 2005

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